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UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

UNITED STATES OF AMERICA,

Plaintiff,

vs.

AMMON BUNDY *et al*,

Defendants.

Case No.: 3:16-CR-00051

**DEFENDANT AMMON BUNDY'S
MOTION FOR LEAVE TO FILE
MEMORANDUM OVER 10 PAGES IN
SUPPORT OF MOTION TO DISMISS
FOR LACK OF JURISDICTION**

Comes now AMMON BUNDY, through counsel ARNOLD LAW, and moves the Court for leave to file a memorandum in support of his Motion to Dismiss for Lack of Jurisdiction.

Certificate of Conferral: On Monday, April 25, 2016, counsel conferred with AUSA Knight about this request via email. I left him a voicemail to attempt to confer with him in real time, but I could not talk with him via phone prior to filing this document. However, he told me via email that the Government does not oppose the defense's request if the request is for permission for less than 15 pages. The memorandum is 13 pages, with 149 pages of exhibits attached.

In its order dated April 11, 2016, the Court limited all memoranda in support of motions to ten pages or less, "unless after a good-cause showing before the motion...is filed[,] the Court grants leave to file a longer memorandum." (CR-389 at 5-6).

This motion to dismiss addresses complex legal issues that inform the court on how to conduct an inquiry on whether it has jurisdiction in this case. These issues are critically important for the protesters to bring before the court, and they require analysis of case law, the Constitutional Convention of 1787, land use doctrines, the intersection of the Enclave and Property clause, and historical documents, including the Federalist Papers. For example, just last month, the Utah House of Representatives endorsed a lawsuit with a reportedly projected cost of \$14 million dollars, illustrating it is a very complex matter in a case that has already been deemed complex over Defendant's objection. <http://www.sltrib.com/news/politics/3631326-155/utah-house-endorses-14-million-public>

These issues implicate wide-reaching and controversial issues in constitutional law, and in order to bring all information before the Court for its consideration of this issue, Defendants respectfully request more than 10 pages to do so. Defendant maintains that it is a Due Process violation to limit counsel in the arguments they can make and ensure a complete record for their clients. Counsel has a duty to Mr. Bundy in this case (that has already been declared complex) to litigate these complex issues thoroughly, competently, and while protecting his record and his Constitutional rights. If this case is complex, then Defendant respectfully requests the ability to address these complex issues and make a complete record in doing so.

Respectfully submitted on the 26th day of April, 2016.

/s/ Michael Arnold

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